THE HON'BLE SRI JUSTICE V.ESWARAIAH

W.P.No.21911 of 2007

Between:

Jiddu Bhavaraju and others. … Petitioners

and

The Tahsildhar and another. … Respondents

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ORDER:

It is stated that the petitioners have been allotted house site pattas bearing plot Nos.11, 12, 16, 19, 20, 30, 32, 36, 37, 40, 49, 50, 52 and 55 respectively in Sy.No.581/2 situated at Kolamuru, Rajahmundry Rural, East Godavari District on 31-03-1999 and the petitioners erected temporary structures. While so, on 10-10-2007 the 1st respondent tried to dispossess the petitioners from the plots in question on the ground that they violated the terms and conditions of house site pattas.

On instructions, learned Government Pleader for Revenue appearing for the respondents submits that though the house site pattas have been granted in the year 1999, none of the petitioners constructed houses. However, as per the house site patta, the petitioners have to construct houses within six months from the date of handing over possession. In fact, some of the petitioners sold away their plots in favour of others. It is further stated that the action will be taken as per Rules alone for violation of terms and conditions of house site pattas.

Having regard to the facts and circumstances of the case and in view of the instructions submitted by the learned Government Pleader for Revenue appearing for the respondents, the writ petition is disposed of directing the respondents not to dispossess the petitioners from the plots in question without following due process of law. There shall be no order as to costs.

12-10-2007

Prv